



1/21

3663

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 06-379)

In the Application of:

Richard M. Jenkins et al. )  
Serial No.: 10/580,750 ) Art Unit: 3663  
Filed: May 26, 2006 )  
Title: Optical Fibre Amplifier ) Examiner: Not Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

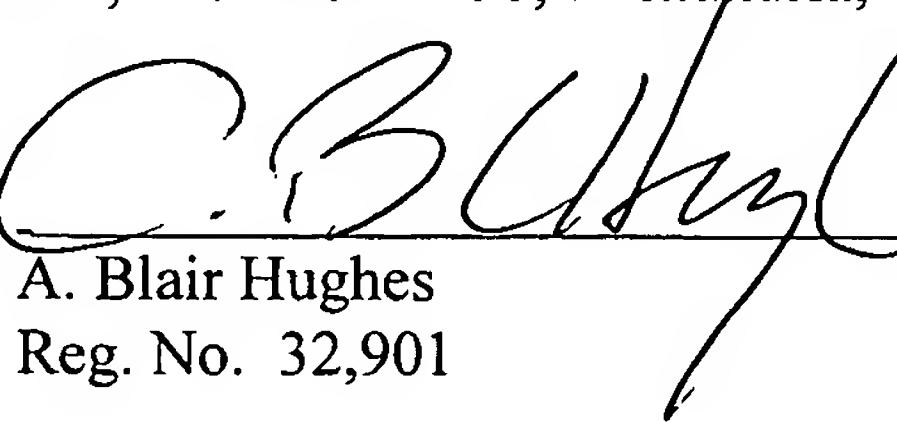
Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Response to February 12, 2007 Notice of Non-Compliant Amendment
  - b. Return Receipt Postcard
2. With respect to additional fees:
  - a. Attached is a check in the amount of \$-0-
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27<sup>th</sup> day of February, 2007.

By :

  
A. Blair Hughes  
Reg. No. 32,901

McDONNELL BOEHNEN,  
HULBERT & BERGOFF LLP  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001



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(CASE NO. 06-379)**

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**RESPONSE TO FEBRUARY 12, 2007 NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

A Notice Of Non-Complaint Amendment was issued for the above-identified application on February 12, 2007. The Notice indicates that the amended drawings were not properly identified in the top margins. The Notice of Non-Compliant Amendment was incorrectly issued because no new drawings or amended drawings were submitted with the application.

It is my practice when filing a U.S. national phase patent application to submit a copy of the International Application – including the drawings as well as a second separate copy of the drawings filed in the International application. I followed that practice in this case. None of the drawings submitted with the application are amended, new or replacement sheets. The second set of drawings was merely duplicative of the drawings appearing at the end of the International Application. For this reason, the Notice of Non-Compliant Amendment was mistakenly issued for this case and the Applicant asks that the Notice be withdrawn.

Respectfully submitted,

**McDONNELL BOEHNEN  
HULBERT & BERGHOFF LLP**

Date: February 27, 2007

By:

  
A. BLAIR HUGHES  
Reg. No. 32,901  
312-913-2123